

  
Patrick M. Flatley

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA (MARTINSBURG)

IN THE MATTER OF:

CASE NO.: 18-01100

ROGER MARTIN, JR.  
DEBTOR

CHAPTER 7

**ORDER GRANTING RELIEF FROM AUTOMATIC STAY**

This matter came on for consideration upon the Motion of PNC BANK, NATIONAL ASSOCIATION, for an Order granting relief from the automatic stay herein.

The Court, being of the opinion to grant the relief, it is,

ORDERED that the automatic stay of Title 11 U.S.C. § 362 shall terminate as to the Debtor's interest in the hereinafter described real estate situate in the County of Berkeley and State of West Virginia to-wit:

Property Address: 727 W. King Street, Martinsburg, WV 25401

ALL THAT CERTAIN lot or parcel of real estate, with the improvements thereon and the appurtenances thereunto belonging, situate in Martinsburg District, Berkeley County, West Virginia, being more particularly bounded and described as follows:

Beginning at a stake in the southern side of West King Street, the northwest corner to a lot sold my Frank a. Minor to J. Harlan Griffith; thence with the line of said Griffith southwesterly parallel to Porter Avenue, and for a part of the distance running through

the center of a three foot concrete walk, two hundred-two (202) feet, more or less, to the northerly line of a thirteen foot alley; thence with said alley westwardly and parallel to West King Street, twenty-five (25) feet, more or less, to a stake a corner to another lot formerly owned by said Frank A. Minor; thence running a new line northwardly, parallel to Porter Ave., and for a part of the distance passing through the center of the dividing wall between a double house two hundred-two (202) feet, more or less, to the southern side of West King Street, eastwardly twenty-five (25) feet, more or less, to the place of beginning.

It is FURTHER ORDERED:

1. Relief is granted from the stay, PNC BANK, NATIONAL ASSOCIATION and any successors or assigns to proceed under applicable non-bankruptcy law to enforce its remedies to foreclose upon and obtain possession of the property, or as an alternative to foreclosure PNC BANK, NATIONAL ASSOCIATION be permitted to accept a Deed in lieu or a Short Sale.

2. That the above property be abandoned as an asset of the estate but if any proceeds are derived from the repossession of the security interest in excess of the amount of the liens against the property and reasonable costs of the foreclosure, said excess shall be paid over to the Trustee.

3. This Order be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

4. That the 14-day stay described by Bankruptcy Rule 4001(a)(3) be waived and that this Order takes effect immediately upon being sign by the Court.

All communications including but, not limited to, notices required by state law,

sent by Creditor in connection with proceedings against the property may be sent directly to the Debtor. Debtors' counsel does not require service or notice.

PREPARED BY:



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Timothy J. Amos  
WVSB # 7683  
Golden & Amos, PLLC  
Counsel for PNC Bank, National Association